1	SUBCHAP'	FER 24C – INITIAL APPEALS FROM DETERMINATION AND HIGHER AUTHORITY
2		REVIEW
3		
4		SECTION .0100 – GENERAL INITIAL APPEALS INFORMATION
5		
6	04 NCAC 24C	.0102 is proposed for amendment as follows:
7		
8	<u>04 NCAC 24C .0102</u> <u>EXCEPTION TO TIMELINESS REQUIREMENT EXCEPTION</u>	
9	Timeliness sanctions shall be waived by the Appeals Referee when DES or an agent state representative gives	
LO	misleading information on appeal rights to a party, if the party:	
l1	(1)	establishes what he or she was told was misleading and how he or she was misled $\underline{\text{pursuant to } 04}$
L2		NCAC 24C .0101;
L3	(2)	identifies, if possible, the individual who misled him or her; and
L4	(3)	no written instructions contrary to the misleading information were provided by DES to the party
L5		with service of the decision being appealed.
L6		
L7	History Note:	Authority G.S. 96-4; 96-15;
L8		Eff. July 1, 2015;
L9		<u>Amended Eff. July 1, 2018.</u>